

CAMPAIGN SPENDING COMMISSION

STATE OF HAWAII

In Re the Matter of)	CA 05-05
)	
INK ARCHITECTS, INC., Dennis Irie,)	
Maurice Kondo and Dennis Nakamoto,)	
)	
Respondents.)	
_____)	

CONCILIATION AGREEMENT

On or around April 2004, Robert Y. Watada, Executive Director for the Campaign Spending Commission ("Commission"), initiated an investigation of Respondents, INK Architects, Dennis Irie, Maurice Kondo and Dennis Nakamoto ("INK" unless otherwise noted). Business Registration Division records lists INK's purpose as architectural services, whose business address is 680 Iwilei Road, Suite 550, Honolulu, Hawaii. Business registration records list Dennis Irie as president/secretary, Maurice Kondo, as director and Dennis Nakamoto as vice president/treasurer. The investigation was initiated pursuant to the express authority of section 11-193, Hawaii Revised Statutes ("HRS"), for a determination of whether the campaign spending law had been violated and a complaint would be submitted to the Commission.

NOW, THEREFORE, INK and the Commission, having entered into conciliation and pursuant to section 11-216(g), HRS, do hereby agree as follows:

- I. That the Commission has jurisdiction over Respondents and the subject matter of this administrative action.
- II. That this Conciliation Agreement ("Agreement") and upon complete performance of the conditions stated herein has the effect of remedial or

corrective action taken by Respondents pursuant to section 11-216(g),
HRS.

- III. That Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- IV. That Respondents waive the right to be heard at a public hearing conducted under chapter 91, HRS, pursuant to section 11-228(b), HRS.
- V. That Respondents enter into this Agreement with the Commission on their own volition and with full knowledge and understanding.
- VI. That parties agree to the pertinent facts as follows:
 - 1. On or around April 2004, Robert Y. Watada, in his capacity as Executive Director of the Campaign Spending Commission, and upon information received through the disclosure statements of the candidate campaign committees of:

Arnold Morgado ("Morgado"),
Ben Cayetano ("Cayetano") and
Jeremy Harris ("Harris")

initiated an investigation involving excess contributions in violation of particular campaign finance statutes.
 - 2. Section 11-204(a)(1)(C), HRS, reads in part as follows: No person, other than a candidate for the candidate's own campaign, or any other entity shall make contributions to:...A candidate seeking nomination or election to a four-year nonstatewide office or to the candidate's committee in an aggregate amount greater than \$4,000 during an election period.

3. Section 11-202, HRS, reads in part as follows: No person shall make a contribution of the person's own money or property, or money or property of another person to any candidate, party, or committee in connection with a nomination for election, or election, in any name other than the true name of the person who owns the money or who supplied the money or property.

4. The Commission finds that Maurice Kondo made contributions to Morgado in the amount of \$1,000 through his former wife:

Violet Kondo	10/1996	\$1,000
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5. The Commission finds that Maurice Kondo made contributions to Harris in the amount of \$2,350 through his former wife:

Violet Kondo	9/2000	\$1,350
Violet Kondo	12/2001	\$1,000

6. The Commission finds that Dennis Nakamoto made contributions to Cayetano in the amount of \$1,600 through family members and friends including the following persons:

Gregory Oi	12/1997	\$500
Gail Oi	12/1997	\$500
Randall Doi	10/1998	\$300
Yvonne Doi	10/1998	\$300

7. The Commission finds that Dennis Irie made contributions to Harris in the amount of \$600 through family members including the following individuals:

Caroline N. Asagi	12/2001	\$200
Shareen Asagi	12/2001	\$400

8. The Commission finds that Dennis Nakamoto made contributions to Harris in the amount of \$4,450 through family members and friends including the following individuals:

Gail Oi	9/1996	\$1,000
Vance Ishibashi	9/1998	\$1,000
Vance Ishibashi	8/2000	\$ 500
Vance Ishibashi	12/2001	\$ 600
Guillermo Estee	8/2000	\$ 500
Gail Oi	9/2000	\$ 350
Melyssa Niimi	9/2000	\$ 500

9. That INK did not file an organizational report pursuant to section 11-194, HRS.
10. That INK did not file disclosure reports pursuant to sections 11-212 and 11-213, HRS.

VII. Settlement Terms

As final settlement of the matter and issues in Conciliation Agreement #05-05, INK understands and agrees to the following:

- (A) Maurice Kondo agrees to an assessment of **Three Thousand Dollars (\$3,000)** pursuant to section 11-228, HRS.
- (1) For violation of section 11-202, HRS, making false name campaign contributions to the candidate committees of Morgado, Cayetano and Harris;
- (B) Dennis Irie agrees to an assessment of **One Thousand Dollars (\$1,000)** pursuant to section 11-228, HRS.

- (1) For violation of section 11-202, HRS, making false name campaign contributions to the candidate committee of Harris.
- (C) Dennis Nakamoto agrees to an assessment of **Seven Thousand Dollars (\$7,000)** pursuant to section 11-228, HRS.
- (1) For violation of section 11-202, HRS, making false name campaign contributions to the candidate committees of Cayetano and Harris.
- (D) INK failed to file an organizational report pursuant to section 11-194, HRS, required disclosure reports pursuant to sections 11-212 and 11-213, HRS and contractor reports pursuant to section 11-205.5, HRS.
- (E) INK agrees to comply with campaign finance statutes on contribution and expenditures to candidate committees.
- (F) Terms of payment of the assessment shall be by Order of the Commission.

VIII. The Commission upon its own motion or a written request of anyone filing a complaint under section 11-216, HRS, may review compliance with the Agreement. If the Commission believes that the Agreement has been violated, it may institute administrative proceedings or a civil action in the Circuit Court of the First Circuit pursuant to section 11-228(c), HRS.

- IX. This Agreement shall become effective as of the date that all parties have signed and the Commission has approved the entire Agreement.
- X. This Agreement constitutes the entire agreement between the Commission and INK on the matters raised herein, and no other statement, promise, or agreement, either in writing or oral, not contained in this Agreement made by either party or by agents of either party shall be enforceable.
- XI. This Agreement, unless violated, shall be a complete bar to any further action by the Commission with respect to the violations at issue in this matter.

FOR THE COMMISSION:

Robert Y. Watada, Executive Director

Date: _____

BY THE RESPONDENTS:

INK Architects, Inc.

Name/Title

Date: _____

Dennis Irie

Date: _____

Maurice Kondo

Date: _____

Dennis Nakamoto

Date: _____

